

(3)
2/20/01
MT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT A. GAINES,

Petitioner

v.

MICHAEL ZENK, ET AL.,

Respondents

: CIVIL ACTION NO. 1:CV-01-0183
:
:
:
:
:
: (Judge Rambo)
:
:

FILED
HARRISBURG, PA
FEB 20 2001

MARY E. D'ANDREA, CLERK
Per MT
Deputy Clerk

ORDER


Petitioner Robert A. Gaines, a prisoner confined at the Allenwood Federal Correctional Institution, filed the above petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The required filing fee has been paid.¹

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The Clerk of Court is directed to serve a copy of the petition on Respondents and the United States Attorney.
2. Within twenty (20) days of the date of this order, Respondents shall file a response to the petition.
3. A determination whether the Petitioner should be produced for a hearing will be held in abeyance pending the filing of a response.

¹ Since the Petitioner acknowledges that he previously filed both a direct appeal and a motion under 28 U.S.C. § 2255, it is unnecessary to provide him with the warnings announced in United States v. Miller, 197 F.3d 644 (3d Cir. 1999).

4. Petitioner may file a reply to the response within fifteen (15) days of its filing.


SYLVIA H. RAMBO
United States District Judge

Dated: February 20, 2001.

SR:jvw

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

February 20, 2001

Re: 1:01-cv-00183 Gaines v. Zenk

True and correct copies of the attached were mailed by the clerk
to the following:

Robert A. Gaines
FCI-Allenwood
Medium Security Facility
#38739-053
P. O. Box 2000
White Deer, PA 17887

cc:

Judge	(X)	(X) Pro Se Law Clerk
Magistrate Judge	()	() INS
U.S. Marshal	()	() Jury Clerk
Probation	()	
U.S. Attorney	(X)	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Federal Public Defender	()	
Summons Issued	()	with N/C attached to complt. and served by: U.S. Marshal () Pltf's Attorney ()
Standard Order 93-5	()	
Order to Show Cause	(X)	with Petition attached & mailed certified mail to: US Atty Gen (X) PA Atty Gen () DA of County () Respondents (X)
Bankruptcy Court	()	
Other _____	()	

MARY E. D'ANDREA, Clerk

DATE: February 20th, 2001

BY:


Deputy Clerk

U.S. Postal Service
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